

**FILED**

**AUG 24 2010**

**PATRICK E. DUFFY, CLERK**  
**By**  
**DEPUTY CLERK, MISSOULA**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION**

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UNITED STATES OF AMERICA,

CR 10-10-H-DWM

Plaintiff,

vs.

**FINDINGS & RECOMMENDATION  
CONCERNING PLEA**

ALEJANDRO ARTURO SCHOLZ,

Defendant.

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The Defendant, by consent, has appeared before the undersigned pursuant to Fed. R. Crim. P. 11 and has entered a plea of guilty to Counts I, II, III, and IV of the Indictment filed against him. Defendant has also agreed to the forfeiture allegation pursuant to 18 U.S.C. § 2253(a). After examining the Defendant under oath, I have made the following determinations:

1. That the Defendant is fully competent and capable of entering informed and voluntary pleas,
2. That the Defendant is aware of the nature of the charges against him and

consequences of pleading guilty to the charges,

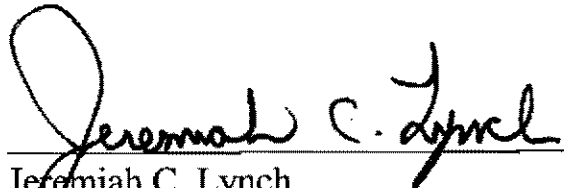
3. That the Defendant fully understands his constitutional rights, and the extent to which he is waiving those rights by pleading guilty, and

4. That the guilty pleas are knowing and voluntary pleas, supported by an independent basis in fact sufficient to prove each of the essential elements of the offenses charged.

Therefore, I recommend that the Defendant be adjudged guilty of Counts I, II, III, and IV of the Indictment, and that sentence be imposed.

**This report is forwarded with the recommendation that the Court defer a decision regarding acceptance until the Court has reviewed the presentence report.**

DATED this 24<sup>th</sup> day of August, 2010.

  
Jeremiah C. Lynch  
United States Magistrate Judge